



File No. 2015-1168

27 July 2015

Mr Paul Turner
paul@europlumbing.co.nz

Dear Paul

Thank you for your email dated 9 June 2015 regarding the Building Act 2004 requirements for hot water cylinders. As the matter raised falls within the departmental responsibilities of the Ministry of Business, Innovation and Employment (the Ministry), your letter has been forwarded to the Ministry for response.

To clarify, the Building Act 2004 section 17 requires that *“All building work must comply with the Building Code to the extent required by this Act whether or not a building consent is required in respect to that building work”*.

Schedule 1 Part 2 of the Building Act 2004 covers sanitary plumbing and drainlaying work that is exempt of building consent, namely clauses:

32. Repair, maintenance and replacement.
33. Drainage access points.
34. Minor alterations to drains.
35. Alteration to existing sanitary plumbing (excluding water heaters).
36. Repair and maintenance of existing water heater.
37. Replacement of open vented water storage heater connected to a supplementary heat exchanger.
38. Replacement or dispositioning of water heater that is connected to, or incorporated, controlled heater source.

The link for this information is found at www.building.govt.nz/bc-no-consent-schedule-1

The building work of installing a new replacement or repositioned water heater must comply with the Building Code. This includes seismic restraints and cold water expansion valves.

It should be noted that in accordance with clauses 36 and 38, installing tempering valves, or another solution for providing 55°C at the outlets of sanitary fixtures for personal hygiene in houses, is not required when a cylinder is replaced or repositioned. This requirement must be actioned when installing new sanitary fixtures for personal hygiene, e.g. baths, showers, or basins.

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You should be aware that when the owner sells a property they have to sign that the building work complies with the Building Act. Replacing or repositioning a water heater without seismic restraint or cold water expansion valves means they cannot legally sign that they comply with the Building Act without these requirements being installed.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'C Kane', with a stylized flourish at the end.

Chris Kane
Manager Building Systems Control
Building, Resources and Markets